

223  
1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2015-0130  
806 PATTERSON AVENUE



1" = 267'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CASE# C15-2015-0130  
ROW# 11394847  
TAX# 01100051018

3/2

CITY OF AUSTIN TCADV  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUIRED  
INFORMATION COMPLETED.

STREET ADDRESS: 806 Patterson Avenue, Austin, Texas 78703

LEGAL DESCRIPTION: Subdivision – LOT 7 BLK 5 WASHINGTON HEIGHTS

Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Matt Fajkus Architecture, LLC on behalf of myself/ourselves as authorized agent for  
Jennifer Parker and Terry Snider affirm that on June 24, 2015,

hereby apply for a hearing before the Board of Adjustment for consideration to:

**(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)**

X ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN

Requesting a variance from Chapter 25-2, Subchapter F, Article 3.3.3 B-2. Seeking approval for non-compliance such that habitable area in a basement greater than 50% below grade be exempted from gross square footage calculations on the basis of extreme topography site hardship.

in a SF-3-NP district.  
(zoning district)

(Old West Austin)

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.**

**VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):**

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**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The steeply sloping topography from the front of the lot (East, Patterson Ave) up to the rear alley prevents the project from meeting Subchapter F Article 3.3.3 B-2 requirement which is necessary to achieve a basement exemption.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The lot at 806 Patterson has an elevation change of 30 vertical feet from front to back. The constant slope of the site means that there is a greater than 10' difference in natural grade from front to back of the house no matter where it is placed on the lot. There is no reasonable siting where the finish floor elevation of Level 1 can meet the requirement stated in Subchapter F Article 3.3.3 B-2.

- (b) The hardship is not general to the area in which the property is located because:

The west side of Patterson Avenue slopes steeply to the alley, while the east side slopes down away from the road. Thus, lots on the west side of Patterson cannot meet Subchapter F Article 3.3.3 B-2, while all lots directly across the street on the east can, where finish floors of Level 1 are lower than the average elevation at the intersections of the minimum front yard setback line and the side property lines.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The proposed new construction adheres to the OWANA residential guidelines by promoting architectural diversity while maintaining the prevailing character of the neighborhood. Its massing is proportional to the house that previously occupied the site as well as neighbors. The siting of the proposed house honors the location of the previous structure, well behind the 25' front yard setback line, matching the location of neighboring houses. The front porch and gable rooflines are contemporary interpretations of the characteristic bungalows of the neighborhood. Glass doors for a walkout basement to the front give a more inviting street presence than an austere foundation retaining wall, which is required regardless. There is the same effective mass beneath the finish floor level, but the space is utilized and activated rather than simply covering the foundation cavity.

**PARKING: (Additional criteria for parking variances only.)**

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

38  
5

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Jennifer Parker Mail Address 1722 W. 11th Street

City, State & Zip Austin, Texas 78703

Printed Jennifer Parker Phone 512. 809.0762 Date June 24, 2015

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Jennifer Parker Mail Address 1722 W. 11th Street

City, State & Zip Austin, Texas 78703

Printed Jennifer Parker Phone 512. 809.0762 Date June 24, 2015

MS  
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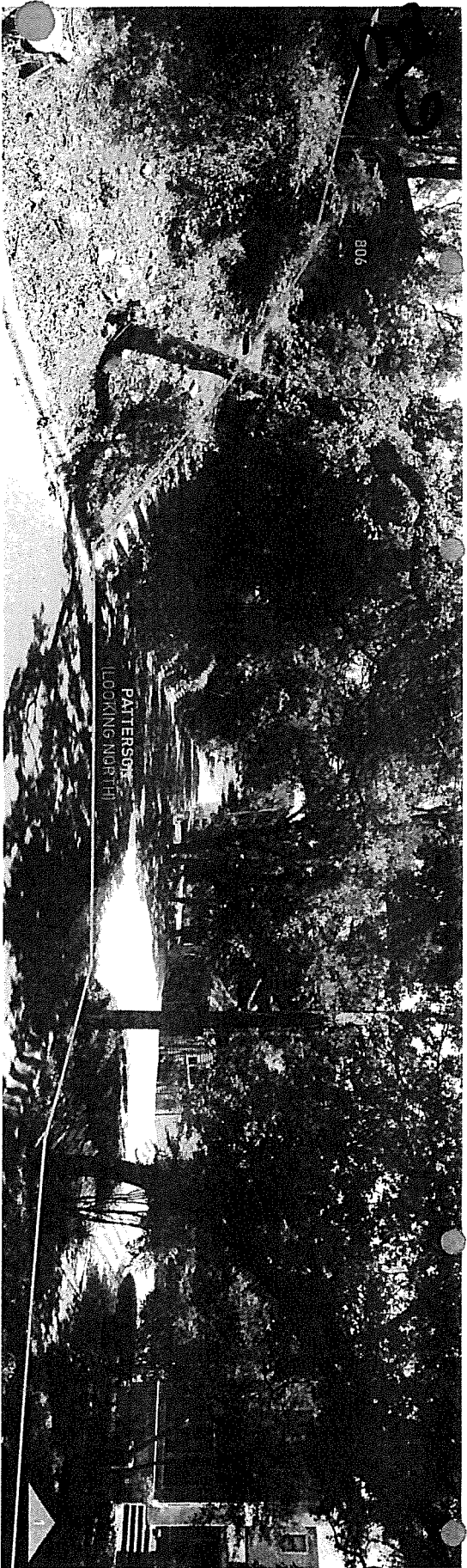


CONTEXT M  
Clarksville

Scale: NTS

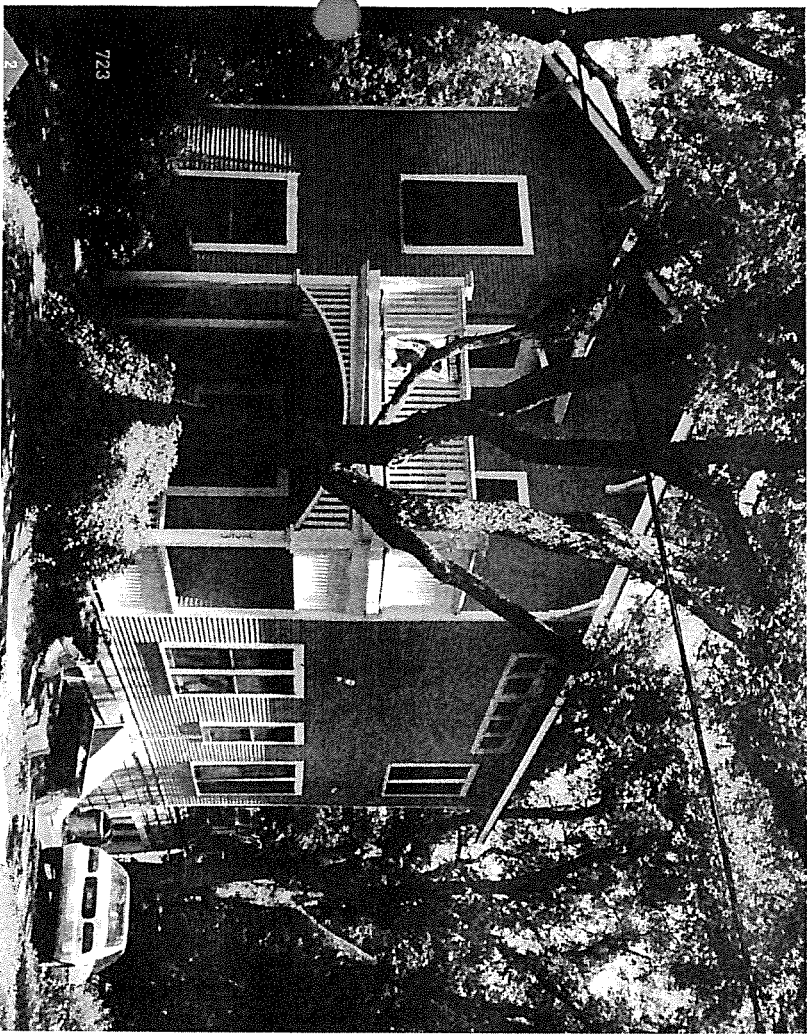
### AREA TOPOGRAPHY

Basement exemptions are possible with respect to Subchapter F Article 3.3.3 B-2 on the east side of Patterson Avenue where front yard setback lines occur on the uphill side of the lot. Lots on the west side of Patterson Avenue have front yard setback lines on the downhill side, and finish floor elevations are dramatically higher for access to alley parking.



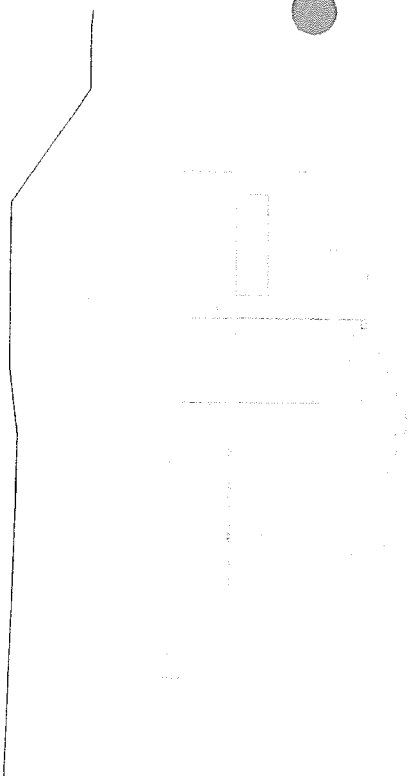
**SITE HARDS**  
View North,

Scale: NTS



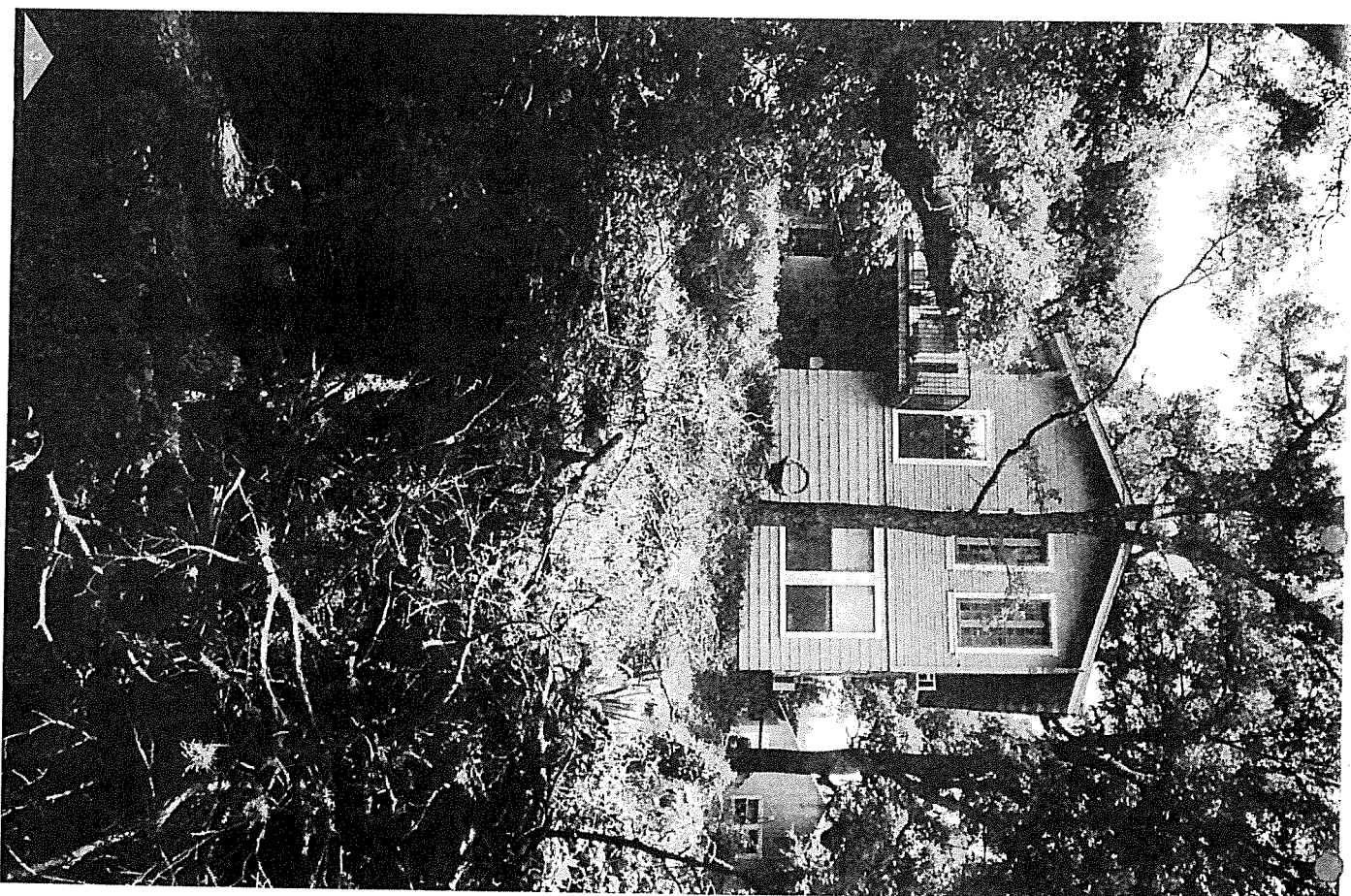
**VARIABILITY IN AREA**

2/2



**VARIABILITY IN AREA**

Elevation of proposed house at 806 and example of neighboring house on west side of Patterson with elevated primary floor and deep setback on lot.



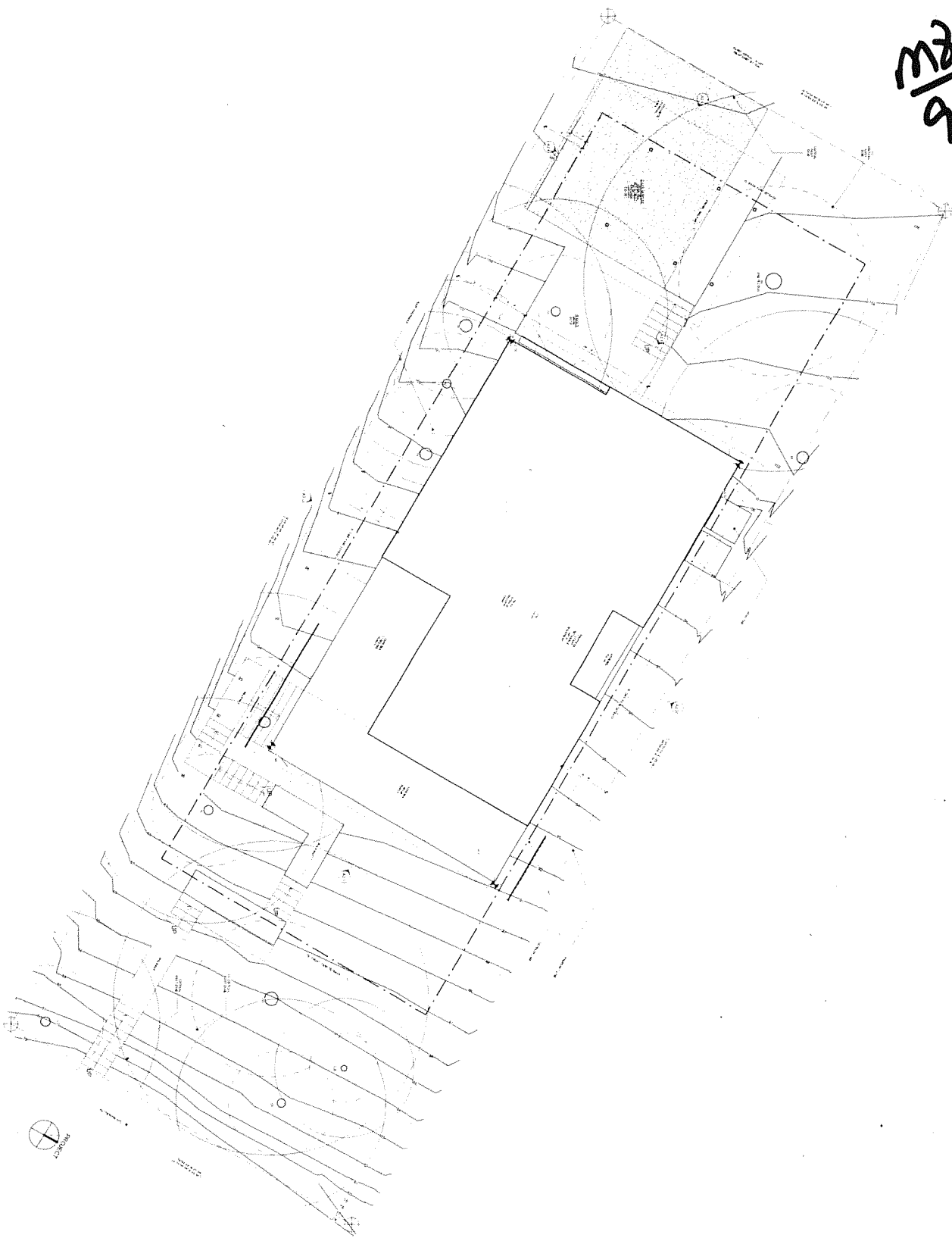
**SITE HARDS**  
View of East

Scale: NTS

**SURVEY**  
Existing Co  
Scale: 1" = 1'



22/5



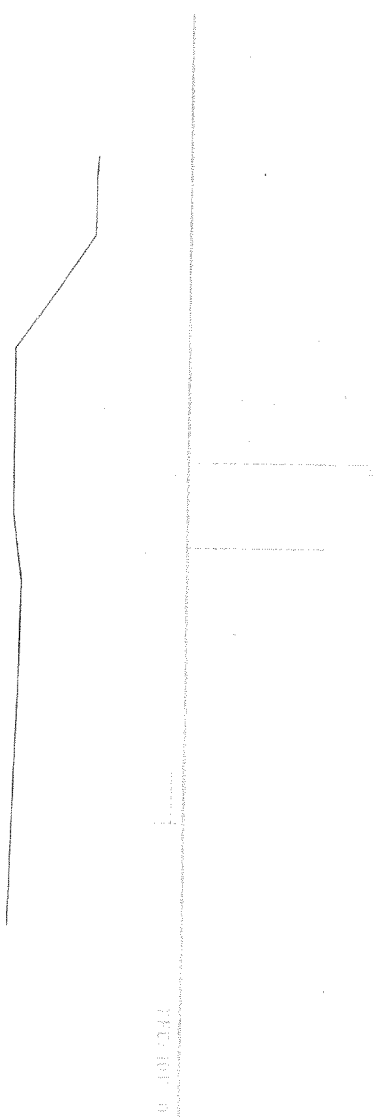
SITE PLAN  
Proposed C

Scale: 3/32"

8/10/38

EAST ELEV/  
Patterson S

Scale: NTS

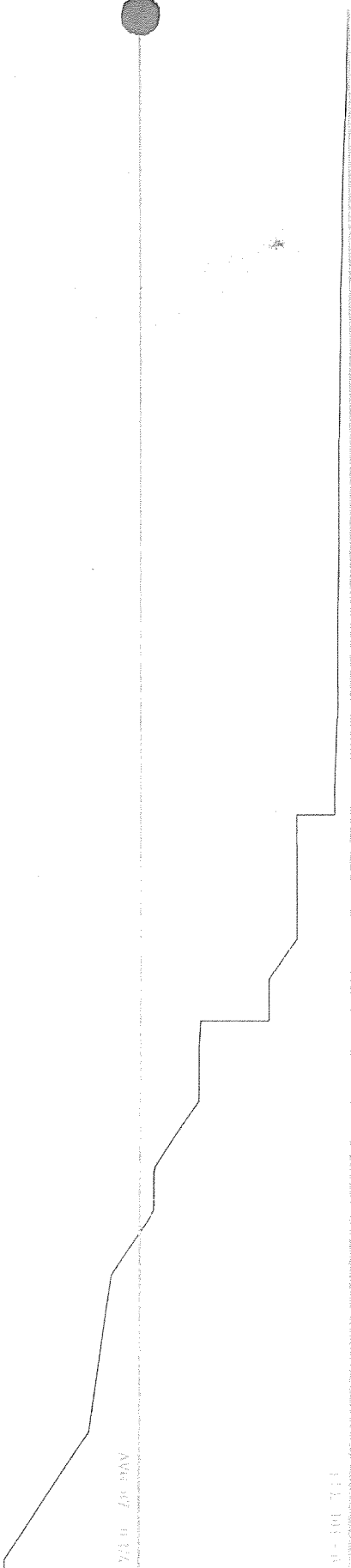


AVG 87' 0 1/2"

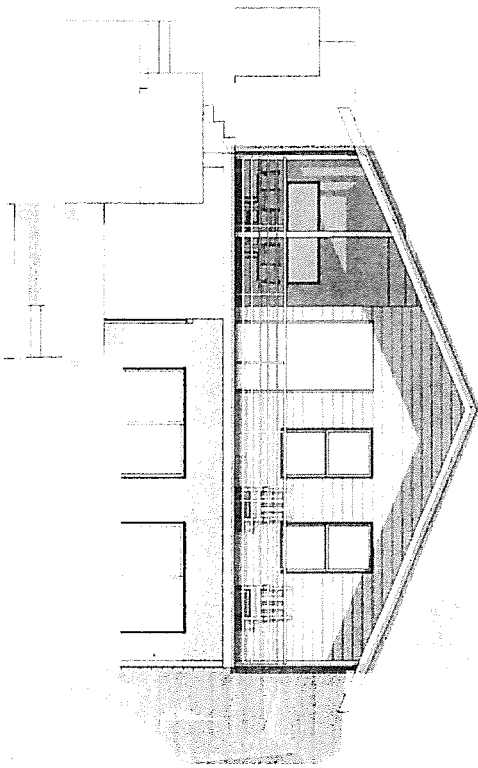
11/18

SOUTH ELE  
Slope Up Tr

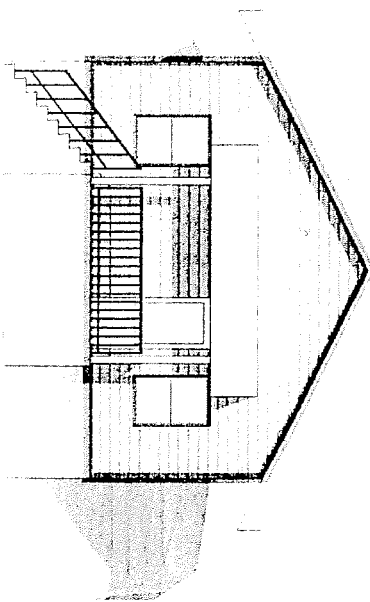
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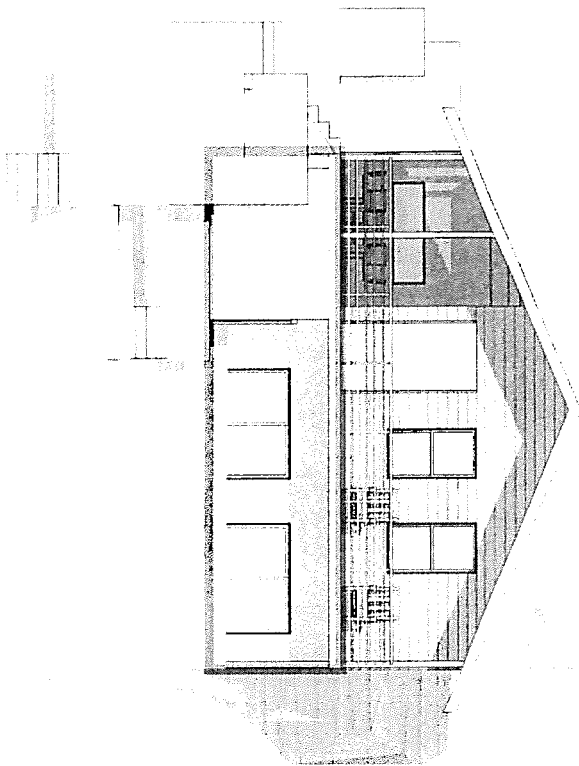
PROPORTIONAL GABLE ROOFLINES  
SAME LOCATION & ORIENTATION ON SITE



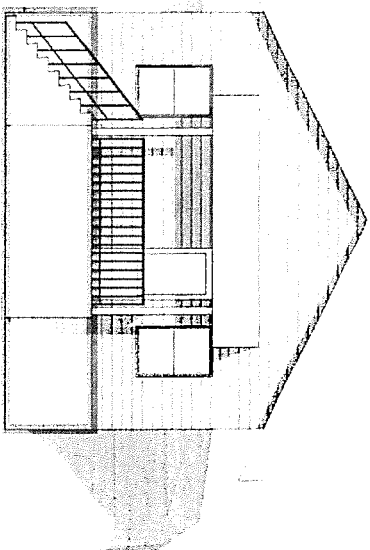
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NEIGHBORH  
Comparativ

7/2  
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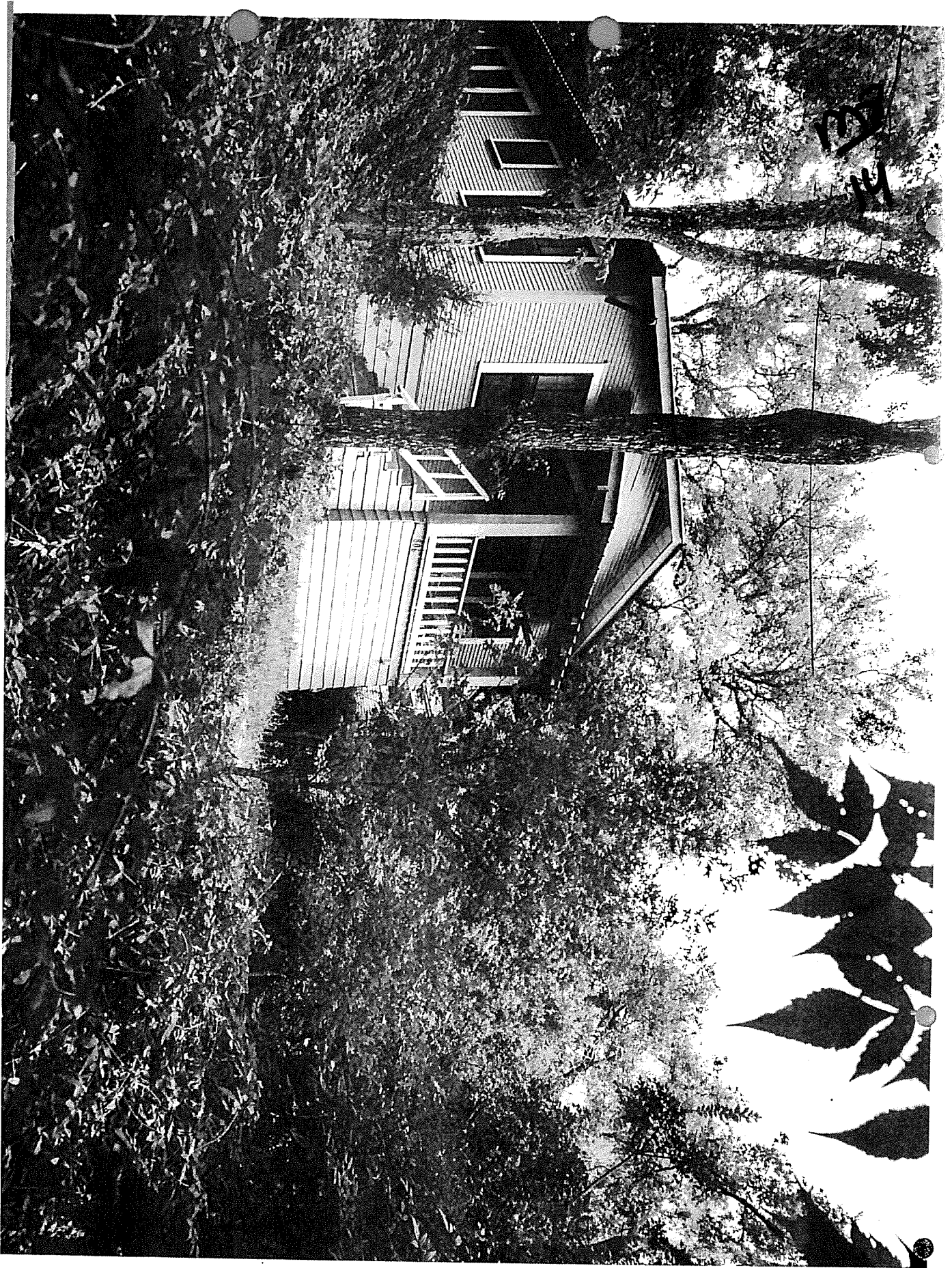


PROPORTIONAL AMOUNT OF FOUNDATION OUT OF  
GRADE, ELEVATED GROUND LEVEL FINISH FLOOR  
DIRECTLY RELATED TO SLOPE TOPOGRAPHY



NEIGHBORH  
Comparati

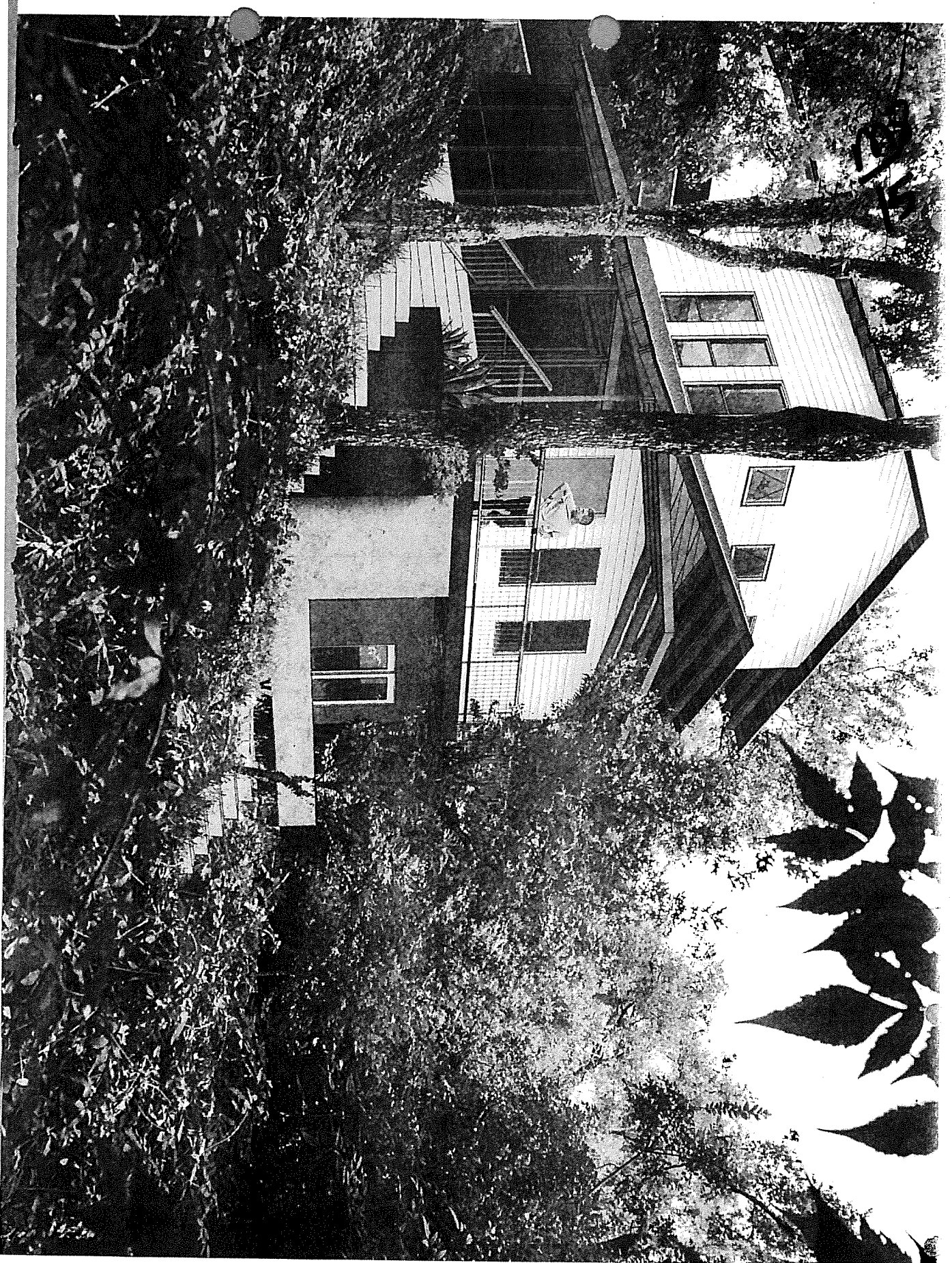
Scale: NTS



ENTRY PER:  
Existing Hol

Scale: NTS





ENTRY PER:  
Proposed H.

Scale: NTS

